

THE HONORABLE ROBERT S. LASNIK

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

TORREY GRAGG, on his own behalf and
on behalf of other similarly situated persons,

Plaintiff,

v.

ORANGE CAB COMPANY, INC., a
Washington corporation; and RIDECHARGE,
INC., a Delaware Corporation, doing business
as TAXI MAGIC,

Defendants.

Case No. 2:12-cv-00576-RSL

**SUPPLEMENTAL DECLARATION OF
ALBERT H. KIRBY**

I, Albert H. Kirby, declare as follows:

1. I am an attorney of record for Plaintiff Torrey Gragg in this action. I am over the age of 18 years. I am competent to testify as to the matters stated herein. I make this declaration based upon my own personal knowledge.

2. Attached as **Exhibit 1** is a true and correct copy of the Declaration of Randall Snyder which I found through PACER attached as Exhibit 2 to the Plaintiff's Memorandum in Opposition to the Defendant's Motion for Summary Judgment. *See Satterfield v. Simon & Schuster, Inc.*, Case No. 4:06-cv-02893-CW, Dkt. No. 63-29 (N.D. Cal. May 1, 2007). From my review of court records, I understand that this is the declaration of Mr. Snyder which the Ninth Circuit discusses in *Satterfield v. Simon & Schuster, Inc.*, 569 F.3d 946 (9th Cir. 2009).

3. Attached as **Exhibit 2** is a true and correct copy of excerpts from the deposition of Randall Snyder taken in connection with the present case.

1 I declare under penalty of perjury under the laws of the United States of America that the
2 foregoing is true and correct. Dated this 18th day of October 2013.

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4 /s/ Albert H. Kirby
Albert H. Kirby, WSBA #40187
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DECLARATION OF SERVICE

I, the undersigned, certify that, on this date, a true copy of the foregoing document will be or has been served on the persons listed below in the manner shown:

Kenneth E. Payson, WSBA #26369
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☐ Legal Messenger
☐ Facsimile
☐ United States Mail, First Class
☐ Direct Email
☒ CM/ECF Notification

Dated: October 18, 2013

/s/ Albert H. Kirby
Albert H. Kirby, WSBA #23091